

House Bill 1254 (AS PASSED HOUSE AND SENATE)

By: Representatives Purcell of the 159th, Day of the 163rd, and Stephens of the 164th

A BILL TO BE ENTITLED

AN ACT

1 To amend an Act to provide a new charter for the City of Pooler, approved May 17, 2004
2 (Ga. L. 2004, p. 3726), so as to provide for four-year terms for the mayor and
3 councilmembers; to provide for a referendum; to repeal conflicting laws; and for other
4 purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 An Act to provide a new charter for the City of Pooler, approved May 17, 2004 (Ga. L. 2004,
8 p. 3726), is amended by revising Sections 2.10 and 2.11 as follows:

9 "SECTION 2.10.

10 City council creation; composition; number; election.

11 (a) The legislative authority of the government of this city, except as otherwise specifically
12 provided in this charter, shall be vested in a city council to be composed of a mayor and six
13 councilmembers.

14 (b) The mayor and councilmembers shall serve for terms of four years and until their
15 respective successors are elected and qualified. No person shall be eligible to serve as mayor
16 or councilmember unless he or she shall have been a resident of this city for 12 months
17 immediately preceding the election of mayor or councilmembers; each such person shall
18 continue to reside within the city during said period of service and shall be registered and
19 qualified to vote in municipal elections of this city. No person's name shall be listed as a
20 candidate on the ballot for election for either mayor or councilmember unless such person
21 shall file a written notice with the clerk of said city that he or she desires his or her name to
22 be placed on said ballot as a candidate either for mayor or councilmember. No person shall
23 be eligible for the office of mayor or councilmember unless such person shall file above said

24 notice within the time provided for in Chapter 2 of Title 21 of the O.C.G.A., the 'Georgia
25 Election Code.'

26 **SECTION 2.11.**

27 **Elections.**

28 (a) At any election, all persons qualified under the Constitution and laws of the State of
29 Georgia to vote for members of the General Assembly of Georgia and who are bona fide
30 residents of said city shall be eligible to qualify as voters in the election.

31 (b) All primaries and elections shall be held and conducted in accordance with Chapter 2 of
32 Title 21 of the O.C.G.A., the 'Georgia Election Code.' Except as otherwise provided by this
33 charter, the city council shall, by ordinance, prescribe such rules and regulations it deems
34 appropriate to fulfill any options and duties under the 'Georgia Election Code.'

35 (c) There shall be a municipal general election every four years on the Tuesday next
36 following the first Monday in November of the last year of the term of the mayor and
37 councilmembers.

38 (d) The mayor and councilmembers in office on the effective date of this Act and any person
39 selected to fill a vacancy in such office shall serve until the regular expiration of the term of
40 office to which they were elected, which shall expire December 31, 2011, and until their
41 successors are elected and qualified. Successors to such mayor and councilmembers shall
42 be elected at the municipal general election on the Tuesday next following the first Monday
43 in November, 2011. All future successors to such mayor and councilmembers whose terms
44 of office are to expire shall be elected at the time of the municipal general election
45 immediately preceding the expiration of such terms and shall serve for terms of office of four
46 years each and until the respective successors are elected and qualified.

47 (e) For the purpose of electing members of the council, the City of Pooler shall consist of
48 one election district with six at-large seats."

49 **SECTION 2.**

50 Unless prohibited by the federal Voting Rights Act of 1965, as amended, the election
51 superintendent of the City of Pooler shall call and conduct an election as provided in this
52 section for the purpose of submitting this Act to the electors of the City of Pooler for
53 approval or rejection. The election superintendent shall conduct that election on the date of
54 the November, 2010, state-wide general election, and shall issue the call and conduct that
55 election as provided by general law. The superintendent shall cause the date and purpose of
56 the election to be published once a week for two weeks immediately preceding the date

57 thereof in the official organ of Chatham County. The ballot shall have written or printed
58 thereon the words:

59 "() YES Shall the Act be approved which provides for four-year terms for the mayor
60 () NO and councilmembers of the City of Pooler?"

61 All persons desiring to vote for approval of the Act shall vote "Yes," and all persons desiring
62 to vote for rejection of the Act shall vote "No." If more than one-half of the votes cast on
63 such question are for approval of the Act, Section 1 of this Act shall become of full force and
64 effect on January 1, 2012. If the Act is not so approved or if the election is not conducted
65 as provided in this section, Section 1 of this Act shall not become effective and this Act shall
66 be automatically repealed on the first day of January immediately following that election
67 date. The expense of such election shall be borne by City of Pooler. It shall be the election
68 superintendent's duty to certify the result thereof to the Secretary of State.

69 **SECTION 3.**

70 All laws and parts of laws in conflict with this Act are repealed.